

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FABRIZIO BIVONA,
Plaintiff

v.

BOROUGH OF GIRARDVILLE
(GIRARDVILLE BOROUGH COUNCIL
and GIRARDVILLE POLICE
COMMITTEE), MAYOR JUDITH L.
MEHLBAUM (individually); and
EDWARD BURNS (individually),
Defendants

No. 3:23cv1154

(Judge Munley)

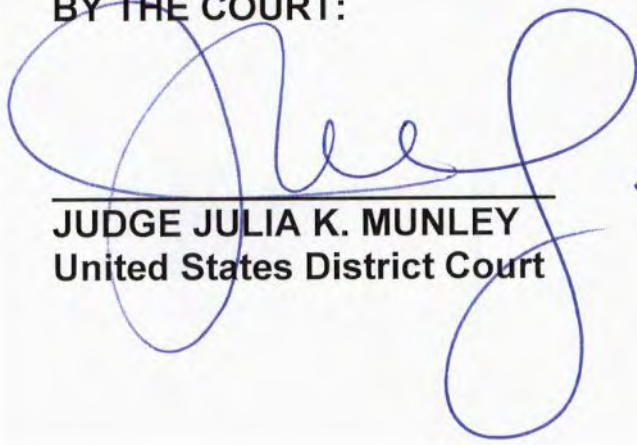
ORDER

AND NOW, to wit, this 16 day of June 2025, for the reasons set forth
in an accompanying memorandum, it is hereby **ORDERED** that:

- 1) Defendants' motion to dismiss pursuant to Federal Rule of Civil Procedure 41(b), (Doc. 56), is **GRANTED** in part;
- 2) Count I of Plaintiff Fabrizio Bivona's amended complaint for the alleged violations of 42 U.S.C. § 1981, 42 U.S.C. § 1983, and Title VII of the Civil Rights Act of 1964 is **DISMISSED** with prejudice;
- 3) The court declines to exercise supplemental jurisdiction over plaintiff's state law claims in Count II and Count III of the amended complaint;
- 4) Counts II and III are **DISMISSED** without prejudice to the plaintiff pursuing those claims in state court if he so chooses; and

5) The Clerk of Court is directed to close this case.

BY THE COURT:



JUDGE JULIA K. MUNLEY
United States District Court